

Appendix D
Public Notice Responses

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TENNESSEE HISTORICAL COMMISSION
DEPARTMENT OF ENVIRONMENT AND CONSERVATION
2941 LEBANON ROAD
NASHVILLE, TN 37243-0442
(615) 532-1550

October 16, 2007

Mr. Travis Wiley
U.S. Army Corps of Engineers, Nashville District
Regulatory Branch
3701 Bell Road
Nashville, Tennessee 37214

RE: COE-N, PN# 07-88A/DOCK/WATAUGA RM 7.2R, UNINCORPORATED,
SULLIVAN COUNTY

Dear Mr. Wiley:

The Tennessee State Historic Preservation Office has reviewed the above-referenced undertaking received on Tuesday, October 16, 2007 for compliance by the participating federal agency or applicant for federal assistance with Section 106 of the National Historic Preservation Act. The Procedures for implementing Section 106 of the Act are codified at 36 CFR 800 (Federal Register, December 12, 2000, 77698-77739).

After considering the documentation submitted, we concur that there are no National Register of Historic Places listed or eligible properties affected by this undertaking. This determination is made either because of the location, scope and/or nature of the undertaking, and/or because of the size of the area of potential effect; or because no listed or eligible properties exist in the area of potential effect; or because the undertaking will not alter any characteristics of an identified eligible or listed property that qualify the property for listing in the National Register or alter such property's location, setting or use. Therefore, this office has no objections to your proceeding with the project.

If your agency proposes any modifications in current project plans or discovers any archaeological remains during the ground disturbance or construction phase, please contact this office to determine what further action, if any, will be necessary to comply with Section 106 of the National Historic Preservation Act. You may direct questions or comments to Jennifer M. Barnett (615) 741-1588, ext. 105. This office appreciates your cooperation.

Sincerely,

E. Patrick McIntyre, Jr.
Executive Director and
State Historic Preservation Officer

EPM/jmb

18 OCT 2007



United States Department of the Interior

FISH AND WILDLIFE SERVICE

446 Neal Street
Cookeville, TN 38501

November 2, 2007

Lt. Colonel Bernard R. Lindstrom
District Engineer
U.S. Army Corps of Engineers
3701 Bell Road
Nashville, Tennessee 37214

Attention: Mr. Travis Wiley, Regulatory Branch

Subject: Public Notice No. 07-88A. RPT Partnership. Proposed Community Boat Dock,
Watauga River Mile 7.2, Right Bank, Boone Lake, Sullivan County, Tennessee.

Dear Colonel Lindstrom:

Fish and Wildlife Service (Service) personnel have reviewed the subject public notice. The proposed project would involve the construction of three community floating boat docks for residential use at Watauga River Mile 7.2, Right Bank, Sullivan County, Tennessee. Each dock would measure 244 feet by 30 feet and would be connected to the shore by a 40-foot by 4-foot floating walkway. All three docks would parallel the shoreline. The structures would be constructed of aluminum framing, decking, and roofing and encapsulated foam floatation. The following constitute the comments of the U.S. Department of the Interior, provided in accordance with provisions of the Fish and Wildlife Coordination Act (48 Stat. 401, as amended; 16 U.S.C. 661 et seq.) and the Endangered Species Act (87 Stat. 884, as amended; 16 U.S.C. 1531 et seq.).


Endangered species collection records available to the Service do not indicate that federally listed or proposed endangered or threatened species occur within the impact area of the project. We note, however, that collection records available to the Service may not be all-inclusive. Our data base is a compilation of collection records made available by various individuals and resource agencies. This information is seldom based on comprehensive surveys of all potential habitat and thus does not necessarily provide conclusive evidence that protected species are present or absent at a specific locality. However, based on the best information available at this time, we believe that the requirements of section 7 of the Endangered Species Act of 1973, as amended, are fulfilled. Obligations under section 7 of the Act must be reconsidered if (1) new information reveals impacts of the action that may affect listed species or critical habitat in a manner not previously considered, (2) the action is subsequently modified to include activities which were not considered during this consultation, or (3) new species are listed or critical habitat designated that might be affected by the action.

05 NOV 2007

We do not anticipate significant adverse impacts to fish and wildlife or their habitats as a result of this project. Therefore, the Service has no objection to the issuance of a permit for the work described in the subject public notice.

Thank you for this opportunity to review the subject notice. Please contact Robbie Sykes of my staff at 931/528-6481 (ext. 209) if you have questions about these comments.

Sincerely,


for Lee A. Barclay, Ph.D.
Field Supervisor

xc: Robert Todd, TWRA, Nashville, TN
Darryl Williams, EPA, Atlanta, GA
Dan Eagar, TDEC, Nashville, TN



STATE OF TENNESSEE
**DEPARTMENT OF ENVIRONMENT AND CONSERVATION
WATER SUPPLY**

9th Floor, 401 Church Street
Nashville, Tennessee 37243-1549
Phone: (615) 532-0191; Fax: (615) 532-0503

October 19, 2007

Travis Wiley
US Army Corps of Engineers
Regulatory Branch
3701 Bell Road
Nashville, Tennessee 37214-2660

RE: Public Notice for proposed construction of three floating dock structured at Watauga River Mile 7.2R, Boone Lake, Sullivan County, Tennessee for the Cliffs Subdivision

Mr. Wiley:

The Division of Water Supply has received and reviewed the Public Notice for proposed construction of three floating dock structured at Watauga River Mile 7.2R, Boone Lake, Sullivan County, Tennessee for the Cliffs Subdivision and would like to thank the US Army Corps of Engineers for the opportunity to comment on this plan.

Safe Dams Program:

A file review was conducted of all registered sites in the Safe dam program. There are no registered dams in the proposed project area. The contact for information in the Safe Dams Program can be obtained from Mr. Lyle Bentley Manger of the Safe Dams Section in the Division of Water Supply. Mr. Bentley may be reached by e-mail lyle.bentley@state.tn.us reached at (615) 532-0154.

Source Water Protection Program:

A review of the community and non-community water supplies in the area shows there are no wellhead protection areas within the proposed project area. Any information on the Source Water/Wellhead Protection areas can be directed to Mr. Scotty D. Sorrells Manager Groundwater Management Section.

24 OCT 2007

Mr. Wiley

Public Notice for proposed construction of floating dock for the Cliffs Subdivision

October 22, 2007

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Mr. Sorrells may be reached by e-mail scotty.sorrells@state.tn.us or by telephone at (615) 532-9224.

Source Water Protection Program:

A review of the community and non-community water supplies in the area shows there are no wellhead protection areas within the proposed project area. The entire project is located within the South Blount Source Water Protection area and caution should be used to maintain sediment and erosion control measures. Any information on the Source Water/Wellhead Protection areas can be directed to Mr. Scotty D. Sorrells Manager Groundwater Management Section. Mr. Sorrells may be reached by e-mail scotty.sorrells@state.tn.us or by telephone at (615) 532-9224.

Water Well Program:

A file review was conducted of all the registered private water wells within this proposed route. Please contact Mr. Luke Ewing with the names of the topographic quads. There are private water supplies in the proposed area. Please be advised that not all the water wells that are in existence are on this database and that there may be older wells that we have no record of as well as hand dug wells whose existence we would not have recorded. All water wells that are encountered should be plugged and abandoned by a licensed well contractor. Any information related to the Water Well Program can be directed to Mr. Luke Ewing Manager Water Well Program. Mr. Ewing can be reached by e-mail luke.ewing@state.tn.us or by telephone at (615) 532-0176.

Underground Injection Control

A file review was conducted of all the registered Underground injection Control (UIC) points within the area of review. No registered UIC sites are within the proposed routs.

Mr. Wiley

Public Notice for proposed construction of floating dock for the Cliffs Subdivision

October 22, 2007


Page 3

Please be advised that not all old large capacity septic systems or stormwater injection points that are in existence are on this database. All UIC wells that are encountered should be plugged and abandoned according to approval from the UIC program. Also please be advised that the area has the potential for karst activity. Any sinkhole that is encountered should be registered with the UIC program and shall be permitted before any disturbance to the area. Any information on the UIC programs can be directed to Ms. Carolyn Sullivan UIC program Groundwater Management Section. Ms. Sullivan may be reached by e-mail carolyn.sullivan@state.tn.us or by telephone at (615) 532-0180.

This letter represents a brief review off best available data sources and not a comprehensive field evaluation. Please verify all information contained within this letter in the field. The issuance of this letter does not convey any property rights in either real or personal property, or any exclusive privileges, nor does it authorize any injury to private property or any invasion of personal rights, nor any infringement of federal, State, or local laws or regulations.

If you have any questions, feel free to call me at (615) 532-9224 or email at scotty.sorrells@state.tn.us.

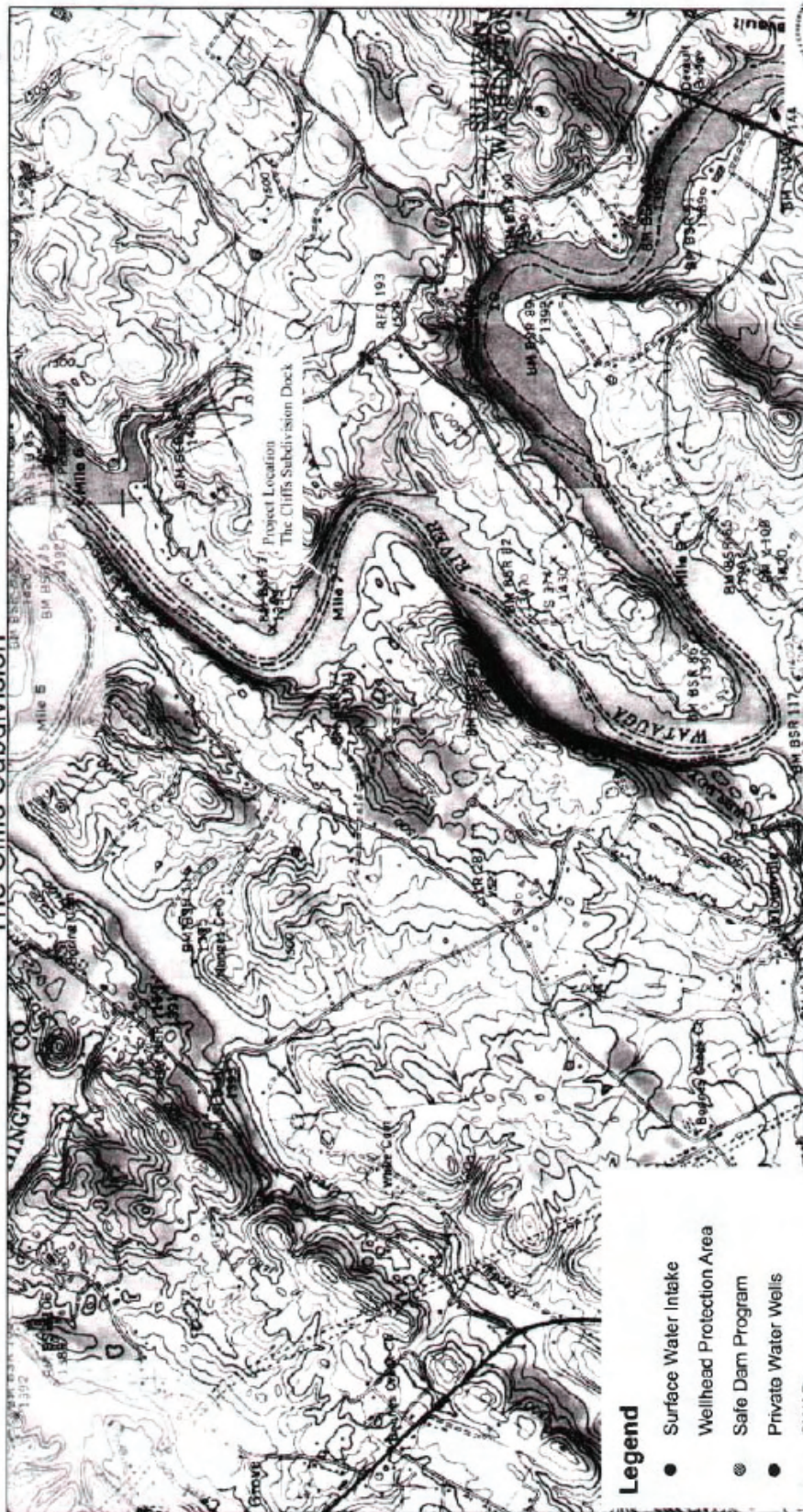
Sincerely,



Scotty D. Sorrells
Manager Ground Water Management Section
Source Water Protection Coordinator
Division of Water Supply

c: Thomas A. Moss Deputy Director DWS
Lyle Bentley Chief SDP
Luke Ewing Manager WWP
Carolyn Sullivan UIC

RPT Partnership Proposed Community Dock Project for The Cliffs Subdivision



Legend

- Surface Water Intake
- Wellhead Protection Area
- Safe Dam Program
- Private Water Wells
- SWAP
- Non-Community Water System
- TN Counties

**Regulatory Branch
Attention: Travis Wiley
Date: 10/25/07**

I write this letter with great urgency as I have just become aware of the development of The Cliffs on Boone Lake subdivision and its proposed boat slips.

I live across the lake from the proposed subdivision and I must express my concern for further narrowing this already narrow main channel.

My two main concerns are safety and property damage. This channel is extremely congested with many boats and personal water crafts causing very turbulent water with waves up to three feet high. This presents a danger from a navigation standpoint and the possibility of damage for any water craft anchored to a floating dock.

**Please reconsider the proposal of a structure sticking out 70 feet into the lake and being at least 120 feet long.
The main channel is NO place for marina.**

Sincerely,

**Glenn and Beverly Davis
238 Lake Meadow Drive
Gray, Tennessee 37615**

November 28, 2007

Ms. Konnie Lewis
Land Use Technician
106 Tri-Cities Business Park Drive
Gray, TN 37615-3815

Dear Ms Lewis:

We write to express our concerns with and opposition to a proposed construction of three floating community dock structures at **Watauga River Mile 7.2 R, Boone Lake, Sullivan County Tennessee**. These dock structures are proposed as a portion of The Cliffs Subdivision. After examination of the **Public Notice number 07 – 88A** and attending a neighborhood discussion of said project, we do not believe construction of docks at this portion of the river is justified or reasonable.

The site on Watauga River where these docks are proposed is not wide enough to accommodate safely these extensions into the main channel. The increased boat traffic in conjunction with current usage would promote dangerous conditions.

The site on Watauga River where these docks are proposed is one of the most beautiful stretches on the entire stream. The high stone bluff and the accompanying abundant vegetation provide considerable esthetic and ecologic value. A disruption of this environment by the proposed docks is just one more step toward unnecessarily urbanizing our last scenic places. Along any natural waterway, especially as beautiful as the Watauga, significant stretches should be left as undisturbed as possible. There simply is no reasonable or logical need to have every square foot or linear mile of any river lined with human structures.

The site on Watauga River where these docks are proposed now adds **significant** intrinsic property value for homeowners in the immediate area, especially those living directly across from the proposed project. Increased noise levels, increased river traffic, decreased safety, replacement of native vegetation by ramps, walkways and steps will significantly degrade the whole environment.

We have confidence that “the system” does not always have to award developments that appear to be good ideas for a few citizens. We also have confidence that preservation of the values noted above will prevail as decision makers look toward futuristic ways to benefit the greater good of our important environments. Please consider our recommendation for *no* construction at all on this portion of the river.

Respectfully,

James F. and Marcella R. Payne
242 Lake Meadow Drive, Johnson City TN 37615

November 6, 2007

Mr. Travis Wiley
Regulatory Branch
3701 Bell Road
Nashville, TN 37214-2660

Dear Mr. Wiley:

We write to express our concerns with and opposition to a proposed construction of three floating community dock structures at **Watauga River Mile 7.2 R, Boone Lake, Sullivan County Tennessee**. These dock structures are proposed as a portion of The Cliffs Subdivision. After examination of the **Public Notice number 07 – 88A** and attending a neighborhood discussion of said project, we do not believe construction of docks at this portion of the river is justified or reasonable.


The site on Watauga River where these docks are proposed is not wide enough to accommodate safely these extensions into the main channel. The increased boat traffic in conjunction with current usage would promote dangerous conditions.

The site on Watauga River where these docks are proposed is one of the most beautiful stretches on the entire stream. The high stone bluff and the accompanying abundant vegetation provide considerable esthetic and ecologic value. A disruption of this environment by said construction is just another step toward unnecessarily urbanizing our last scenic places.

The site on Watauga River where these docks are proposed adds significant intrinsic property value for homeowners in the immediate area, especially those living directly across from the proposed project. Increased noise levels, increased river traffic, decreased safety, replacement of native vegetation by ramps, walkways and steps will significantly degrade the whole environment.

We have confidence that “the system” does not always have to award developments that appear to be good ideas for a few citizens. We have confidence that preservation of the values noted above will prevail as decision makers look toward futuristic ways to benefit the greater good of our important environments. We recommend no construction at all on this portion of the river.

Respectfully,


James F. Payne
242 Lake Meadow Drive
Johnson City, TN 37615

and


Marcella R. Payne

98 NOV 2007

To: Travis Wiley/Regulatory Branch
3701 Bell Rd
Nashville, TN 37214-2660

(5)

From: William Pollock ✓
169 Jamestown Dr.
Piney Flats, TN 37686

Subject: PN No. 07-88A – Application No. 200702061
Three Floating Dock Structures
Watauga River Mile 7.2, Boone Lake, Sullivan Co.

To Whom It May Concern:

This 60 slip dock proposal is a very upsetting circumstance. Boone Lake is being depleted of what aesthetic beauty is left and this would be a big "eye sore" on one section that still creates a nice view for residents of both Lake Meadow's subdivision as well as private dock owners in Jamestown Estates. We built in this area due to the preservation of the beauty of the lake and the thought of 60 aluminum boat slips lining the view we purchased with our land is very disconcerting.

Safety needs to be of very high consideration when making this decision. The builders of the proposed structure evidently are not concerned with this and/or are ignorant of the traffic on Boone Lake and the location they are building. This section of the lake is a main channel. It is the only passageway for boats to get from the Sullivan County, or west, side of the lake where spots like Lakeview Marina, Jay's Boat Dock, and Boone Dam are located to the Washington County side where busy spots like Sonny's Marina and Winged Deer Park are located. This section where the structure would be located is narrow for this traffic as it is. Also, the side where the structure would be has a shallow point at the end of Baywood Dr. that boaters must swing wide to avoid. This coupled with the water area the structure would consume would be a recipe for unsafe boating conditions. In addition considering the structure will be on the main river bank, when the lake level is lowered in the off season these slips will take over much of the water space left that fishermen use to get from one side of the lake to the other. With the speeds these boats are designed for and go this is definitely a great cause for concern.

The fact that this has even gone to the point of consideration is perplexing. Most if not all community access docks are in coves or areas of the lake that are large enough to accommodate them without the possibility of causing harm or intrusion. Residents of this new development that purchase lake front property should be permitted private visually appealing docks for personal access. This would be their rite but allowing everyone in this large neighborhood to have access in this part of the lake is absurd. If they are or will be boat owners, there are two TVA access boat ramps within a mile or so of the property. One located on Pickens Bridge Road and the other on Bristol Highway at Winged Deer Park. It seems like money is the motivating factor over safety and lake conservation and I feel the developers will have plenty of financial

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opportunities subdividing and selling the numerous plots to include several with lake-frontage encompassing this 80 acre plot of land.

Thank you for your consideration,

A handwritten signature in cursive script, appearing to read "William Palko", written in dark ink.

JAMES H. GODFREY, M.D.

689 Rangewood Road
Piney Flats, Tennessee 37686
USA

Phone 423-282-6433
Email: jhgodfreymd@embarqmail.com

November 8, 2007

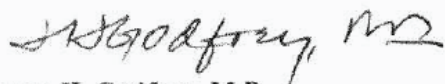
Regulatory Branch
3720 Bell Road
Nashville, TN 37214-2660

Attention: Travis Wiley

Dear Sir:

I am writing in opposition to the proposed building of 60 slips along Watauga River Mile 7.2 R, Boone Lake, Sullivan County, Tennessee, by the developers of The Cliffs at Boone Lake. I am a resident living along the lake nearby and know that section to be a particularly narrow one where there is already heavy activity during the summer. There is already a small marina across the lake from this area owned by the residents of Lake Meadows. I think it is unreasonable for there to be slips for 60 boats in this area just because there is a subdivision adjacent to the lake with a large number of homes in it. The lake is getting so crowded that it seems to me the time has come to limit the slips on the lake to just those who are living on the property adjacent to the lake, not to the whole subdivision, which can be huge, as this one is. I am opposed to this project and would at least like to see a public hearing concerning it.

Sincerely,



James H. Godfrey, M.D.

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October 31, 2007

US Army Corps of Engineers
Regulatory Branch, Att: Mr. Travis Wiley
3701 Bell Road
Nashville, TN. 37214-2660

Subject: Revision of Original Public Notice 07-88, Proposed Construction of Three Floating Community Dock Structures at Watauga River Mile 7.2 R, Boone Lake, Sullivan County, Tennessee (The Cliffs Subdivision)

Dear Mr. Wiley:

As a boater and skier on Boone Lake, I have recently become aware of a proposed dock that is planned to extend 70 feet into the channel across from the Lake Meadows subdivision. Due to the narrow, windy section of this channel, adding what seems to be a Marina in the middle of this channel will create a perilous situation that could easily result in frequent boating accidents. A construction of this size is usually reserved for a cove or someplace out of the way as to minimize safety issues and avoid undue congestion.

I also understand that members of the Lake Meadows Home Owners Association have requested a public hearing to discuss the potential approval of this development. I would also like to be present to voice my concerns and objections.

Sincerely,



Mark deFluiter

05 NOV 2007

30 October 2007

US Army Corps of Engineers
Regulatory Branch, Att.: Mr. Travis Wiley
3701 Bell Road
Nashville, Tennessee 37214-2660

Subject: Revision of Original Public Notice 07-88, Proposed construction of three floating community dock structures at Watauga River Mile 7.2 R, Boone Lake, Sullivan County, Tennessee (The Cliffs Subdivision)

Dear Mr. Wiley, ✓

My husband and I are residents of Lake Meadows Subdivision located directly across the channel from the proposed community dock structures. We strongly oppose the construction of these docks as they are proposed. This area of the lake is incredibly busy and at present is what we consider one of the more dangerous areas on the lake. Just last summer a boat was capsized due to traffic and four elderly people were dumped at the end of our dock, thankfully with only minor injuries.

Decreasing the width of this channel by 70 feet will create even greater safety issues with our community residents and also the boating public.

The proposed marina is significantly greater than the lake frontage will accommodate and this cliff also creates a magnified echo, thus creating an increased noise pollution level.

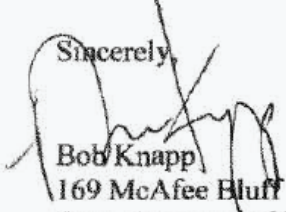
Part of the beauty of living on the lake is the aesthetic value of our views. This proposed marina will significantly mar the visual aesthetics for a large number of homes in our community.


We would invite a public hearing to address these and other issues with this proposal.

Our concerns are:

1. Safety of boating public and our residents if approval is given
2. Audible and visible pollution factors
3. Erosion issues with properties located on the lake
4. Excessive number of slips proposed in relation to lake frontage available

Sincerely,


Bob Knapp
169 McAfee Bluff
Gray, Tennessee 37615
423.676.1001


Terri Knapp

05 NOV 2007

November 6, 2007

4

Mr. Josh Guinn, President
Lake Meadows Homeowners' Assoc., Inc.
168 McAfee Bluff
Gray, Tennessee 37615

US Army Corps of Engineers
Regulatory Branch, Att: Mr. Travis Wiley
3701 Bell Road
Nashville, Tennessee 37214-2660

Subject: Revision of Original Public Notice 07-88, Proposed Construction of Three Floating Community Dock Structures at Watauga River Mile 7.2 R, Boone Lake, Sullivan County, Tennessee (The Cliffs Subdivision)

Dear Mr. Wiley:

The Lake Meadows Homeowners Association, Inc., is comprised of approximately seventy (70) lots directly across the channel from the proposed community dock structures. After an informal meeting was called with many of our home owners present it was determined that we as an association must oppose the construction of the community dock structures as proposed. Currently this is a widely traveled area of the lake. Decreasing the width of the channel by seventy (70) feet (the number of feet that the docks will project into the channel) will narrow the channel significantly creating safety issues with our residents and the boating public. Due to the minimal amount of lake frontage we also feel that there is an excessive number of slips proposed. Currently the bank along the proposed development is limestone rock cliffs which will reverberate noise at a high level. The docks would also affect the aesthetics visually from a large number of the lots in our subdivision.

Lastly, our association would request a public hearing to be held concerning the consideration of this issue. Many of our residents have different reasons for opposing this dock development and would like to address them. Our reasons for holding the public hearing are to discuss the following:

1. the safety of the area residents and the boating public if these docks are approved as proposed.
2. the detrimental aesthetics effects upon the area visually and audibly.
3. the detrimental effects that the increased boat traffic from the docks will cause to the erosion of the properties at Lake Meadows.

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Mr. Wiley

November 6, 2007

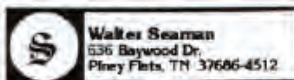
4. the excessive number of slips proposed in relation to the minimal amount of lake frontage that the subdivision has.

Very truly yours,

A handwritten signature in black ink that reads "s/ Josh Guinn". The signature is written in a cursive, slightly slanted style.

Josh Guinn, President

Lake Meadows Homeowners' Association, Inc.



Nov. 5, 2007

U.S. ARMY CORPS OF ENGINEERS

REGULATORY BRANCH

3701 Bell Rd

Nashville, TN 37214

ATTN: TRANS NILEY

SUBJECT: APP NO 200702061

DEAR SIR:

I REQUEST A PUBLIC HEARING FOR THIS APPLICATION
IN VIEW OF SEVERAL CONCERNS: CHANNEL WIDTH
REDUCTION, NO. OF BOAT SLIPS, DOCK ENROACHMENT WITH
GANGWAYS INTO CHANNEL. MY PROPERTY IS ADJACENT
TO THIS ON DOWNSTREAM SIDE

SINCERELY

Walter Seaman

07 NOV 2007

Janine and Randy Wykoff
206 Lake Meadow Drive
Johnson City, TN 37614

(11)

Regulatory Branch
3701 Bell Road
Nashville, Tennessee 37214-2660
Attn: Travis Wiley

Reference: Public Notice: 07-88A
Application: 200702061
Construction of Three Floating Community Dock Structures as
Watauga River Mile 7.2 R, Boone Lake, Sullivan County, Tennessee
(The Cliffs Subdivision)

Dear Mr. Wiley;

We very much appreciate the opportunity to submit public comment about the above-mentioned proposal.

We would make three specific points for your consideration:

1. This proposal is excessive. As proposed, there will be three separate boat docks, each 244 feet in length—essentially completely blocking over 700 feet of the cliffs. These docks will be constructed directly in the main channel of the river—something that no other set of boat docks/marina of this size in Boone Lake has been permitted to do. Overall, over 700 feet of cliff-face will be blocked by a development that has only 14 lake-front lots! You should understand that there are no comparable boat docks in this portion of Boone Lake. Most homes have individual boat-docks, and some neighborhoods have relatively small neighborhood boat docks, usually in protected coves, that are perpendicular to, and not to parallel with, the bank. There is no neighborhood, that I am aware of, that completely obstructs the entire lake-front with a boat dock. There are many other homes that have been built on the top of the cliffs, and, when permitted by the terrain, have individual boat docks. With some reconsideration, I am sure that the Cliffs Subdivision, could develop a plan that is more consistent with the prevailing use patterns on the Lake, and more respectful of the broader desire of all Lake users to be able to see the cliff face.
2. This proposal will pose a potential safety hazard. As proposed, this set of boat docks/marina will sit out at least 70 feet from the cliffs, directly in the deepest water channel of the lake. As your records will clearly indicate, this is a high volume channel with many boats driving by both day and night. Some boats travel at very high speed through this area. There is also significant use of this

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channel by those tubing, wake-boarding and water-skiing. The risk of a boat-related injury, as a result of this proposed marina will be significant:

- a. Boats will be forced into a more narrow channel, increasing the concentration and inter-mixing of boats, wake-boarders, swimmers, kayakers and others in non-motorized vehicles into a smaller section of the lake;
 - b. There will be boats pulling out of or backing into, essentially blindly, the main channel of the lake—directly into the path of high speed boat traffic;
 - c. You will have increased items floating in the lake increasing the risk of a boat striking a foreign object;
 - d. You will have an area of decreased visibility, especially at night.
3. This proposal does not appear to be practical or realistic. As proposed, the only pedestrian access to this boat dock/marina will be down a steep cliff face, currently defined as the "Common Area." According to the plan and our own observations, there is no way of accessing the lake without a steep, and long, set of steps. As you well know, people who use boat docks on Boone Lake frequently need to carry large, bulky, and/or heavy items to their boats—tanks of gas, inner tubes, wake-boards, ropes, battery chargers, etc. All neighborhood docks that we are aware of permit access by car and golf cart. It seems impractical for over 60 boat owners, their families and friends, to make the trip up and down the long single set of steps to access the boat dock. The bottom line is that this development simply does not lend itself to a boat dock for over 60 boats. We understand that the number of boat docks is calculated based on the number of interior lots in a development. It would also be very important to determine if the proposal for 172 home-sites is really a feasible economic projection. Are there any other developments in Sullivan county where this many home-sites have been placed on lots of this size and at this price?

We are not opposed to further development on Boone Lake. As recent home builders on the Lake, we appreciate and welcome the careful and thoughtful development that has characterized the recent development of the Lake. We would ask that the Cliffs Subdivision be held to these same standards and that another, more reasonable and appropriate plan for boat docks be developed and submitted for public comment.

In addition to the comments submitted above, you have asked for specific comments in the following areas:

1. Conservation: As you well know, large boat docks and marinas are an inevitable source of pollution entering the lake—gas spills, oil spills, solid waste refuse and items dropped into the lake are all significantly increased around marinas. Adding over 60 boat slips, in the main channel of the river, will add to pollution in the lake.
2. Economics: Except for the developers of the property, and those associated with building the homes, this project will have a negative economic impact. For example, the value of the homes across the lake will diminish significantly, as a result of increased noise, increased erosion, and loss of view.

3. **Aesthetics:** As you know, these cliffs represent one of the most beautiful and undeveloped cliff-faces in Boone Lake. They are stunningly beautiful and represent what many people feel is the most aesthetically pleasing aspect of living and boating on Boone Lake. It is illogical to approve a proposal that completely destroys the beauty of these cliffs, when many other developments on Boone Lake have shown that it is possible to put beautiful homes in on the tops of some of the cliffs in Boone Lake without completely blocking the view and access of the cliffs. No other neighborhood has proposed such a complete "wall to wall" boat docks—especially for a neighborhood that has only 14 lake-front lots. As you know, these cliffs housed a turkey buzzard rookery this past season, and appeared to be the nesting area for the herons. Raccoons also live on the cliffs. Destroying the aesthetics of the cliffs so completely can not be in anyone's long-term interest—and many other much less disruptive options exist.
4. **General Environmental Concerns:** Please see the comments under "Conservation" above.
5. **Wetlands:** No concerns
6. **Cultural Values:** Should a single development be permitted to entirely destroy the aesthetics of a cliff/lake interface? There are two other large public marinas, each within 2 miles of the proposed development. There is a public boat ramp within one mile. In other words, a large number of boat docks is not necessary to permit public access to the lake. I am aware of no other development on the lake where so many home-owners who do not have a lake-front lot are being provided with a private boat slip. At what point should the beauty of the lake, the cleanliness of the water, and the safety of all water users be compromised in such a comprehensive way?
7. **Fish and Wildlife Values:** No concerns except for the loss of roosting sites for turkey buzzards and herons.
8. **Flood hazards:** No concerns.
9. **Floodplain Values:** No concerns.
10. **Land Use:** In addition to the comments made above, it should be pointed out that the historic railroad bed that is still extant at the base of the cliff will be significantly and, potentially, permanently compromised by this development.
11. **Navigation:** These boat docks will be in the main channel of the lake. This poses a significant safety risk, as outlined above.
12. **Shore Erosion and Accretion:** All of the home owners on the opposite side of the lake will tell you that they are already facing significant problems with soil erosion as a result of the boat-generated waves on the lake. The proposed boat docks will have two negative impacts on this:
 - a. It will significantly increase the number of boats generating waves in that portion of the lake; and
 - b. It will cause all boats to travel closer to the opposite bank in order to avoid the dangers associated with the new marina.
13. **Recreation:** Increased boat traffic and moving existing traffic towards the other shore will limit the space currently available for recreational activities—including swimming, kayaking, fishing, wake-boarding, and tubing.

14. Water Supply and Conservation: No concerns
15. Water Quality: As mentioned, there will be an increase in water pollutants as a result of this marina—especially gas and oil spills, solid waste, and items that fall, or are blown off the boats or docks.
16. Energy Needs: No concerns except that, for safety sake, it is probable that the full 700 feet of marina, located in a high traffic, high speed boating area, all walkways and access ramps will have to be lit 24 hours a day. Additionally, the marina itself will have to be lit at night to avoid being struck by boats.
17. Safety: As mentioned above, this boat dock poses a series of threats that will increase the chance of an accident.
18. Food and Fiber Production: No concerns
19. Mineral Needs: No concerns
20. Considerations of Property Ownership: This proposed boat dock/marina will compromise the value of all property in the area.
21. Needs and Welfare of the People: It is clear that the greater good of the majority will be compromised by the narrow good of the few.

We are not opposed to development, either on the Lake in general, or in the area of the "Cliffs" in particular. We would simply ask that this development be consistent with the principles and practices that has guided recent development on the Lake, and reflect consideration for the least disruptive options.

We appreciate the opportunity to share our thoughts and observations with you. We formally request the opportunity to engage in further discussion during a public hearing.

Sincerely,



Janine and Randy Wykoff

Janine and Randy Wykoff
206 Lake Meadow Drive
Johnson City, TN 37614

Regulatory Branch
3701 Bell Road
Nashville, Tennessee 37214-2660
Attn: Travis Wiley

Reference: Public Notice: 07-88A
Application: 200702061
Construction of Three Floating Community Dock Structures as
Watauga River Mile 7.2 R, Boone Lake, Sullivan County, Tennessee
(The Cliffs Subdivision)

SECOND LETTER

Dear Sir;


Some months ago, I mailed the attached letter to you. Since that time, I have not heard from you, nor from your office.

While I have heard from the Developer of the above-mentioned project—with whom you shared my letter—I would assume, and hope, that that response does not represent the entirety of your intent to respond to my letter and to others received.

I would appreciate a response from you regarding this project and your intentions, if any, to hold a public hearing, as has been requested.

Additionally, I would appreciate hearing from you the process that I might go through to request a FOIA on all relevant documents, should I choose to pursue that route.

Many thanks,


Janine Wykoff

30 JAN 2008

Jerry and Donna Coffey
141 McAfee Bluff
Gray, TN 37615

RECEIVED

DEC - 6 2007

December 4, 2007

Konnie Lewis
Land Use Technician
106 Tri-Cities Business Park Drive
Gray, TN 37615-3815

Subject: Revision of Original Public Notice 07-88, Proposed Construction of Three Floating Community Dock Structures at Watauga River Mile 7.2 R, Boone Lake, Sullivan County, Tennessee (The Cliffs Subdivision)

Dear Konnie:

The Lake Meadows Homeowners Association, Inc., is comprised of approximately seventy (70) lots directly across the channel from the proposed community dock structures. After an informal meeting was called with many of our home owners present it was determined that we as an association must oppose the construction of the community dock structures as proposed. Currently this is a widely traveled area of the lake. Decreasing the width of the channel by seventy (70) feet (the number of feet that the docks will project into the channel) will narrow the channel significantly creating safety issues with our residents and the boating public. Due to the minimal amount of lake frontage we also feel that there is an excessive number of slips proposed. Currently the bank along the proposed development is limestone rock cliffs which will reverberate noise at a high level. The docks would also affect the aesthetics visually from a large number of the lots in our subdivision.

Lastly, our association would request a public hearing to be held concerning the consideration of this issue. Many of our residents have different reasons for opposing this dock development and would like to address them. Our reasons for holding the public hearing are to discuss the following:

1. the safety of the area residents and the boating public if these docks are approved as proposed.
2. the detrimental aesthetics effects upon the area visually and audibly.
3. the detrimental effects that the increased boat traffic from the docks will cause to the erosion of the properties at Lake Meadows.
4. the excessive number of slips proposed in relation to the minimal amount of lake frontage that the subdivision has.

Looking forward to hearing from you.

Best regards,


The Jerry Coffey Family